



The Town of Knightdale Staff Report

Date: January 9, 2017

To: Land Use Review Board
From: Jason S. Brown, Senior Planner
Subject: ZTA-1-17 Quarterly Updates

Development Services Director
Signature – CAH
Town Manager Signature –

REPORT: See Attached

Adopt the statement of plan consistency and reasonableness of action and recommend approval of
ZTA-1-17 to the Town Council.

ZONING TEXT AMENDMENT ZTA-01-17

Quarterly Update

REPORT TO THE TOWN COUNCIL

Prepared by the Knightdale Development Services Department

PUBLIC HEARING: January 3, 2017

LURB MEETING: January 9, 2017

I. REQUEST

Application requesting Zoning Text Amendments to the Knightdale Unified Development Ordinance (UDO) to amend:

- **Chapters 2.3(C)** to amend the “Use Matrix” as follows: remove Vehicle Services – Maintenance/Body Work/Repairs as a permitted use subject to additional standards in the Town Center (TC) district, remove Vehicle/Heavy Equipment Sales as a permitted use subject to additional standards in the Town Center (TC) zoning district, remove mini-warehouses as a permitted use subject to additional standards in the Highway Business (HB) zoning district and change to require a Special Use Permit in the Manufacturing and Industrial (M&I) zoning district, remove Storage-Warehouse, indoor storage as a permitted use in the Town Center (TC) zoning district.
- **Chapter 3.3** to modify the additional use standards that correlate to the uses modified in Chapter 2.3(C).
- **Chapter 14.4(A).1.d “Staggered Terms”** – to change the term limits of the Land Use Review Board (LURB) from three year staggered terms, to two year staggered terms.
- The application includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendments, such as updating code section references and locations, the use matrix, the ordinance table of contents and index, as well as adding/amending definitions in Chapter 19 for consistency.
- The applicant is identified as the Town of Knightdale Land Use Administrator.

II. Legend

Please utilize the legend below to follow-changes made to the Unified Development Ordinance:

Legend
<u>Insertion</u>
Deletion
Moved From
<u>Moved To</u>

III. JUSTIFICATION/BACKGROUND/TEXT

Each proposed text amendment is outlined below. We have provided a justification and background for each individual amendment followed by the text itself.

Chapter 2.3(C) “Use Matrix”

The Planning & Engineering Committee, along with Staff, took a comprehensive look at the Use Matrix to determine if there were some uses that are no longer consistent with certain districts. The conversation led to the creation of two categories, uses that are incompatible and should be amended immediately and those that should warrant further review. The following uses are those that were deemed incompatible and should be amended.

- Vehicle Services – Maintenance/Body Work/Repair – Remove as a permitted use subject to additional standards in the Town Center (TC) zoning district.
- Vehicle/Heavy Equipment Sales – Remove as a permitted use subject to additional standards in the Town Center (TC) zoning district.
- Mini Warehouses – Remove as a permitted use subject to additional standards in the Highway Business (HB) zoning district and change to require a Special Use Permit in the Manufacturing & Industrial (MI) zoning district.
- Storage – Warehouse, indoor storage – Remove as a permitted use subject to additional standards in the Town Center (TC) zoning district.

The amended use matrix is below:

C. Use Matrix

	T1	T2	T3	T4	T5	T6	Assigned Districts				Planned Districts	
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MQ	MHD	TND
(1) Residential												
a. Dwelling-Single Family	—	PS	PS	PS	PS	PS	PS	—	—	—	PS	PS
b. Dwelling-Duplex	—	—	PS	PS	PS	PS	PS	—	—	—	PS	PS
c. Dwelling-Multifamily 4 units/bldg or less	—	—	—	SU	SU	SU	SU	—	—	—	SU	SU
d. Dwelling-Multifamily more than 4 units/bldg	—	—	—	SU	SU	SU	SU	—	—	—	—	SU
e. Dwelling-Secondary	—	SU	—	—	—	—	—	—	—	—	—	SU
f. Family Care Home (6 or Less residents)	—	PS	PS	PS	PS	PS	PS	—	—	—	PS	PS
g. Home Occupation	—	PS	PS	PS	PS	PS	PS	—	—	—	PS	PS
h. Housing Service for the Elderly	—	—	PS	PS	P	P	P	—	—	—	—	----
i. Live-Work Units	—	—	—	PS	PS	PS	PS	—	—	—	—	PS
j. Manufactured Housing	—	PS	PS	—	—	—	—	—	—	—	PS	—
(2) Lodging												
a. Bed and Breakfast Inns	—	PS	PS	PS	PS	PS	P	P	—	—	—	PS
b. Hotels/Motels/Inns	—	—	—	—	—	CD	CD	P	—	—	—	CD
c. Rooming or Boarding House	—	—	—	—	PS	PS	PS	—	—	—	—	PS
(3) Office/Service												
a. Animal Services	—	SU	—	—	—	PS	PS	PS	P	—	—	----
b. ATM	—	—	—	—	PS	P	P	P	P	—	—	PS
c. Banks, Credit Unions, Financial Services	—	—	—	—	—	PS	P	P	P	—	—	P
d. Business Support Services	—	—	—	—	—	PS	P	P	P	—	—	P
e. Child/Adult Day Care Home (Fewer than 6 people)	—	PS	PS	PS	PS	PS	PS	—	—	—	—	PS
f. Child/Adult Day Care Center (6 or more people)	—	PS	—	PS	PS	PS	P	—	—	—	—	P
g. Community Service Organization	—	P	—	P	P	P	P	P	—	—	—	P
h. Cremation Facilities	—	—	—	—	—	SU	P	P	—	—	—	—
i. Drive Thru Service	—	—	—	—	—	SU	—	PS	PS	—	—	—
j. Equipment Rental	—	—	—	—	—	—	PS	PS	P	—	—	—
k. Funeral Homes	—	—	—	—	—	P	P	P	—	—	—	—
l. Government Services	P	P	P	P	P	P	P	P	P	—	—	P
m. Group Care Facility (More than 6 residents)	—	SU	—	—	—	SU	SU	—	—	—	—	—
n. Medical Services	—	—	—	—	P	P	P	P	P	—	—	P
o. Outdoor Animal Boarding/Equestrian Facilities	—	SU	—	—	—	—	—	—	SU	—	—	—
p. Personal Services	—	—	—	—	PS	PS	PS	PS	PS	—	—	PS
q. Post Office	—	—	—	—	P	P	P	—	P	—	—	P
r. Professional Services	—	—	—	—	P	P	P	P	P	—	—	P
s. Studio – Art, dance, martial arts, music	—	—	—	—	P	P	P	P	P	—	—	P
t. Tattoo Shop	—	—	—	—	—	—	—	PS	PS	—	—	—
u. Vehicle Services – Maintenance/Body Work/Repair	—	—	—	—	—	SU	PS	PS	PS	—	—	—

— Not Permitted **P** Permitted

PS Permitted subject to Additional Standards in Chapter 3

SU Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (*Section 15.5E*)

CD Conditional District (*Section 2.14 and 15.6C(4)*)

	T1	T2	T3	T4	T5	T6	Assigned Districts			Planned Districts		
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MQ	MHD	TND
(4) Retail/Restaurants												
a. Auto Parts Sales	—	—	—	—	—	P	P	P	P	—	—	—
b. Bar/Tavern/Night Club	—	—	—	—	—	P	P	P	—	—	—	PS
c. Drive-Thru Retail/Restaurants	—	—	—	—	—	SU	—	PS	—	—	—	----
d. Gas Station with Convenience Store	—	—	—	—	—	PS	PS	PS	—	—	—	—
e. Neighborhood Retail/Restaurant – 2,000 sf or less	—	—	—	—	SU	P	P	P	—	—	—	P
f. General Retail – 10,000 sf or less	—	—	—	—	—	P	P	P	—	—	—	P
g. General Retail – 10,001 sf – 50,000 sf	—	—	—	—	—	—	P	P	—	—	—	P
h. General Retail – Greater than 50,000 sf	—	—	—	—	—	—	CD	CD	—	—	—	CD
i. Restaurant	—	—	—	—	—	P	P	P	----	—	—	P
j. Shopping Center – Community Center	—	—	—	—	—	—	CD	CD	CD	—	—	—
k. Shopping Center – Neighborhood Center	—	—	—	—	—	CD	CD	CD	—	—	—	CD
l. Sweepstakes Center	—	—	—	—	—	—	—	—	SU	—	—	—
m. Vehicle/Heavy Equipment Sales	—	—	—	—	—	—	PS=	PS	PS	—	—	----
(5) Entertainment/Recreation												
a. Adult Establishment	—	—	—	—	—	—	—	—	SU	—	—	—
b. Amusements, Indoor – 5,000 sf or less	—	SU	SU	SU	SU	P	P	P	P	—	—	—
c. Amusements, Indoor – 5,001 sf – 20,000 sf	—	—	—	—	SU	SU	SU	P	P	—	—	—
d. Amusements, Indoor – Greater than 20,000 sf	—	—	—	—	—	—	—	P	P	—	—	—
e. Amusements, Outdoor	—	SU	—	—	PS	PS	PS	PS	PS	—	—	PS
f. Cultural or Community Facility	SU	SU	—	—	P	P	P	P	P	—	—	P
g. Meeting Facilities	SU	SU	—	—	P	P	P	—	—	—	—	—
h. Recreation Facilities, Indoor	—	PS	PS	PS	P	P	P	P	P	—	—	P
i. Recreation Facilities, Outdoor	P	P	P	P	P	P	P	P	P	—	P	P
j. Theater, Live Performance	—	—	—	—	—	CD	CD	CD	CD	—	—	CD
k. Theater, Movie	—	—	—	—	—	CD	CD	CD	CD	—	—	CD
(6) Manufacturing/Wholesale/Storage												
a. Agribusiness	P	PS	PS	—	—	—	—	—	PS	—	—	—
b. Laboratory - medical, analytical, research & development	—	—	—	—	—	—	—	P	P	—	—	—
c. Laundry, dry cleaning plant	—	—	—	—	—	—	—	P	P	—	—	—
d. Manufacturing, Light	—	—	—	—	—	—	—	PS	P	—	—	—
e. Manufacturing, Neighborhood	—	—	—	—	—	PS	PS	P	P	—	—	P
f. Manufacturing, Heavy	—	—	—	—	—	—	—	—	P	—	—	—
g. Media Production	—	—	—	—	—	—	P	P	P	—	—	—
h. Metal Products Fabrication, machine or welding shop	—	—	—	—	—	—	----	----	P	—	—	—
i. Mini-Warehouses	—	—	—	—	—	—	—	PS=	PSSU	—	—	—

— Not Permitted **P** Permitted

PS Permitted subject to Additional Standards in Chapter 3

SU Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (*Section 15.5E*)

CD Conditional District (*Section 2.14 and 15.6C(4)*)

	T1	T2	T3	T4	T5	T6	Assigned Districts			Planned Districts		
BASE DISTRICT	OSP	RR	GR	UR	RMX	NMX	TC	HB	MI	MQ	MHD	TND
(6) Manufacturing/Wholesale/Storage (continued)												
j. Quarrying and Stone Cutting	—	—	—	—	—	—	—	—	SU	P	—	—
k. Research and Development	—	—	—	—	—	—	—	PS	P	—	—	—
l. Storage - Outdoor storage yard as a primary use	—	—	—	—	—	—	—	----	PS	—	—	—
m. Storage - Warehouse, indoor storage	—	PS	—	—	—	—	PS	PS	PS	—	—	—
n. Wholesaling and Distribution	—	—	—	—	—	—	—	SU	PS	—	—	—
(7) Civic/Institutional												
a. Campground	SU	SU	SU	—	—	—	—	P	P	—	P	P
b. Cemeteries	PS	—	—	—	—	PS	PS	PS	—	—	—	—
c. Colleges/Universities	—	—	—	—	CD	CD	CD	—	—	—	—	—
d. Hospital	—	—	—	—	—	—	CD	CD	CD	—	—	—
e. Public Safety Facility	P	P	P	P	P	P	P	P	P	—	P	P
f. Religious Institutions	—	P	P	P	P	P	P	P	—	—	P	P
g. Schools – Elementary & Secondary	—	SU	SU	CD	CD	CD	CD	—	—	—	—	P
h. Schools – Vocational/Technical	—	—	—	—	P	P	P	P	P	—	P	P
(8) Infrastructure												
a. Airport	—	SU	—	—	—	—	—	—	SU	—	—	—
b. Transit, Road & Ground Passenger Services	—	—	—	—	—	—	PS	PS	PS	—	—	PS
c. Wireless Telecommunication Facility-Stealth	—	—	PS	PS	PS	PS	PS	PS	PS	—	PS	PS
d. Wireless Telecommunication Facility-Tower	—	SU	—	—	—	—	----	----	PS	—	—	—
e. Utilities-Class 1 & 2	P	P	P	P	P	P	P	P	P	—	P	P
f. Utilities-Class 3	—	SU	—	—	—	—	—	SU	P	—	—	—

— Not Permitted **P** Permitted

PS Permitted subject to Additional Standards in Chapter 3

SU Permitted subject to any Additional Standards in Chapter 3 as well as obtaining a Special Use Permit (*Section 15.5E*)

CD Conditional District (*Section 2.14 and 15.6C(4)*)

Chapter 3, “Additional Use Standards”

Several of the uses modified in Chapter 2 were subject to additional standards. This requires us to also amend the additional use standards to ensure consistency. These changes are outlined below:

W. Equipment Rental (~~TC~~, HB) (2.3C(3)j)

1. No equipment for sale or rent may be displayed in any front yard, nor shall such displays be permitted to encroach on any required landscaping areas or buffer yards.
2. All vehicle display areas shall conform to the dimensional, design and landscaping standards set forth for parking areas in Chapters 8 and 10.
3. All equipment shall be stored within an enclosed building, opaque fence or wall and restricted to the rear yard.

HH. Mini-Warehouses (~~HB~~, MI) *Special Use (2.3C(6)i)

1. All areas shall be screened from any adjacent residence or off-site view from a public street by a Type-A buffer yard (*Section 8.6B(1)*).
2. Metal siding is prohibited. All exterior walls shall be brick, stone or decorative masonry.
3. No outdoor storage of goods or materials shall be permitted.

QQ. Storage - Warehouse, Indoor Storage (RR, ~~TC~~, HB, MI) (2.3C(6)m)

1. An indoor storage facility is limited to 5,000 square feet per floor in the TC and RR districts.
2. Outdoor storage is not permitted.
3. In the RR District, all areas shall be screened from any pre-existing adjacent residence (other than the owner's) by a Type-A buffer yard (*Section 8.6B(1)*)

VV. Vehicle / Heavy Equipment Sales (~~TC~~, HB, MI) (2.3C(4)m)

1. No equipment for sale or rent may be displayed in any front yard, nor shall such displays be permitted to encroach on any required landscaping areas or buffer yards.
2. Vehicle display areas shall conform to the dimensional, design and landscaping standards set forth for parking areas in Chapters 8 and 10.
3. All vehicles shall be operable, suitable for driving and ready for sale. Any vehicle not meeting this criterion shall be removed within seven (7) calendar days. Any visibly damaged vehicle or vehicle with missing parts must be removed within three (3) calendar days.
4. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.

WW. Vehicle Services –Maintenance/Repair/Body Work (~~TC~~, HB, MI) (2.3C(3)t)

1. All vehicles, materials or equipment shall be stored within an enclosed building, or within an outdoor storage area enclosed by an opaque fence or wall that meets the requirements of Section 4.7 and restricted to the rear yard. Outdoor storage is not permitted within the TC District.

2. Any operation which results in the creation of noxious vibrations, odors, dust, glare or sound is prohibited.
3. No vehicle may be kept or used for parts for other vehicles.
4. No vehicle may be stored in an unrepaired state for more than 30 calendar days.

Chapter 14.4(A).1.d “Staggered Terms”

The Town currently has four citizen advisory boards, the Community Policing Advisory Board, Land Use Review Board (LURB), Old Town Advisory Committee, and Parks & Recreation Advisory Board. All of the Boards with the exception of LURB serve two year staggered terms. The LURB currently serves three year staggered terms. For consistency it has been requested that the terms for the LURB be amended to two year staggered terms. This text amendment would only affect new members appointed after the date of this amendment and would not impact the current terms of the LURB membership. The language of the text amendment is below:

d. Staggered Terms: LURB members shall be appointed for ~~three-year (3-year)~~ two-year (2 year) staggered terms. Members shall continue to serve until their successors have been appointed.

IV. PLANNING & ENGINEERING COMMITTEE

The Planning & Engineering supported these concepts being brought forward as text amendments at their December 12, 2016 meeting.

V. PUBLIC HEARING SUMMARY

Councilor Swan mentioned the timing of having two, two year terms for LURB members and the experience necessary. Staff and the Planning and Engineering Committee had a similar discussion and it was determined that additional training might be warranted, but the new term limits would still allow members to gain the necessary experience to perform the roles of the Board.

VI. CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute 160A-383 requires that **prior to** adoption or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action to be reasonable and in the public interest.

PROPOSED WRITTEN ADVISORY STATEMENT FROM LURB REGARDING PLAN CONSISTENCY

“The proposed text amendment is consistent with the Comprehensive Plan’s overall goals of providing equal opportunity to all Knightdale citizens, including equal access to facilities and opportunities of the Town and region and the goal of protecting the Town’s historical, cultural, and natural resources.”

VI. DEVELOPMENT SERVICES RECOMMENDATION

The Development Services Department recommends that the Land Use Review Board forward the preceding advisory statement to the Town Council and recommend approval of ZTA-1-17.